

MEETING OF THE COURTS SERVICE BOARD

17th October, 2016

The Courts Service Board met on 17th October, 2016.

At the meeting the Board considered and approved reports in the following matters:

Minutes and Documentation from Committees of the Board

The Board noted minutes of meetings of Committees of the Board as follows

- Minutes of Audit Committee Meeting of 20th June, 2016
- Minutes of the Finance Committee Meeting, 20th June, 2016
- Minutes of Family Law Court Development Committee Meeting, 13th June, 2016
- Minutes of Building Committee Meeting, 14th June, 2016

Appointment of Mr. Paul McGarry S.C to the Board

The Board noted the appointment of Mr. Paul McGarry S.C. Chairman of the Bar Council of Ireland, to replace Mr. David Barniville as the Bar Council representative on the Board.

Report on Budget and Expenditure and Estimates 2017

The Board considered and approved the Report. The Chief Executive briefed the Board on the key issues:

- **Expenditure** - The Board was briefed on expenditure to end September, 2016 and the variances against budget under the various subheads.
- **Additional ICT Funding** - To address the critical deficit in ICT funding in 2016, the Department of Justice and Equality has approved additional funding of €1.5m for ICT and a further €1m for video conferencing facilities has been provided by the Irish Prisons Service.
- **Forecast Outturn for end 2016** – Overall it is expected to achieve a balanced budget. A significant underspend on Pay is expected arising from delays in filling of vacancies by the Public Appointments Service; Non Pay and Capital expenditure is expected to come in on budget and additional excess fee income against target is forecast. The underspend on Pay will be used to fund the Surrender Balance as required under Government Accounting Guidelines.
- **Estimates 2017** - Total Gross Funding for the Courts Service for 2017 has increased from €109.672m to €140.080m, an increase of 28% on the 2016 allocation. However this includes a once off allocation for the PPP Courthouse Bundle and when

this is excluded the total gross funding has increased by €4.088m or 4%. The additional funding will allow for the appointment of some additional staff; the upgrade of the ICT infrastructure and the roll out of links to the Government Cloud Network which will bring about a significant improvement in ICT performance. The Appropriations in Aid target has increased by €1.852m reflecting a projected increase of €2.0m in court fees.

The Board welcomed the additional funding.

Chief Executive Officer's Report

The Board considered and approved the Chief Executive Officer's Report. The Chief Executive Officer briefed the meeting on some of the major issues outlined in his report including

- **Corporate Business Plan** - the progress report on the implementation of the Corporate Business Plan for 2016 shows significant progress in achieving the targets set out in the Plan.
- **Staff Member on the Board** - the election for the Staff representative on the Board will take place on 4th November, 2016.
- **Learning and Development Strategy** – significant progress is being made in the implementation of the Learning and Development strategy including roll out of a coaching programme, technical training programmes. The training deficit is now being actively addressed and major improvements in meeting staff will be realised over the next 12 to 18 months.
- **Staff Appointments** – Internal promotion competitions are being arranged at Executive, Higher Executive and Assistant Principal Officer levels. This is to address delays by the Public Appointments Commission in filling vacancies at these and Clerical Officer levels due to the high demand across public sector agencies and departments.
- **Judicial Assistants** – a recent competition for Judicial Assistants has raised issues in relation to the future filling of these posts. The matter will be considered further at the next meeting of the Board.
- **ICT** – Citrix 2016 has been installed and a project to migrate judges and staff will begin shortly. The roll out of links to the Government Cloud Network will also take place and this will greatly improve ICT performance in Dublin and around the country. This was made possible by the additional funding provided by the Department of Justice. Video conferencing will also be provided in 7 additional

court locations, in conjunction with and with funding made available by the Irish Prison Service.

- **Progress on the PPP bundle of 7 courthouses** – the projects are progressing well and are on target for completion by end 2017.
- **Hammond Lane** – Work on the Hammond Lane project is also continuing and good progress is being made. A Dublin City Councillor had proposed rezoning 15% of the site for use as a public park which would have resulted in the loss of 22% of the usable space. The Chief Justice, Presidents of the Circuit and District Courts, the Courts Service and other interested bodies made representations to the Council in the matter. The Councillor withdrew his proposal.
- **Tipperary Courthouse** – the Court of Appeal upheld the High Court decision that the Courts Service does not have a statutory duty to provide particular court facilities at any particular location
- **Skibbereen Courthouse** – following the decision of the High Court it has been decided to review the content and format of the business case in relation to the closure of a court venue. The matter will be considered further by the Building Committee and the Board.
- **Probate Review** – the Review is ongoing and submissions received are being considered. The report of the findings of the Review is expected to be completed by year end.

Risk Management

The Board considered and approved the report on risk management and approved the revised Risk Management Policy which sets out the central elements and key principles of Risk Management in the Courts Service. It also defines the Risk appetite of the organisation. The Policy will be supported by a User Guide to assist managers and staff in implementing the Policy.

Code of Practice for the Governance of State Bodies 2016

The Board noted the revised Code of Practice for the Governance of State Bodies and the suite of Guidance Documents supporting the Code. A Gap Analysis is being carried out to assess the current level of compliance and identify any additional measures required. A briefing on the new Code will be arranged for the Board in January, 2017.

Any Other Business

The Board was briefed on Court Funds and the impact of the current volatility in the market and Brexit particularly on short term investments. The Board was informed that, on foot of a recommendation by the Public Accounts Committee an independent review carried out into the management of the Growth Fund 2007 – 2009 and the report, which is being finalised, gives a very positive assessment of the management and performance of this Fund.

Next Meeting

The next meeting of the Board will take place on 12th December 2016.

Attendance

Present: The Hon. Mrs. Justice Susan Denham, Chief Justice and Chairperson

The Hon. Mr. Justice Peter Kelly

The Hon Mr. Justice Liam McKechnie

The Hon. Mr. Justice Michael Peart

The Hon. Mr. Justice Patrick McCarthy

The Hon. Mr. Justice Ray Groarke

Her Honour Judge Dóirbhíle Flanagan

Her Honour Judge Rosemary Horgan

Mr. Brendan Ryan

Mr. James McCourt

Mr. Conan McKenna

Mr. Liam Berney

Mr. Pat Doyle

Mr. Shane Browne

Apologies: The Hon. Mr. Justice Sean Ryan

Judge Gerard Haughton

Mr. Paul McGarry

Officials Present: Mr. Sean Quigley, Head of Resource Management

Ms. Marie Ryan, Secretary

Ms. Miriam O'Flanagan, Office of the CEO